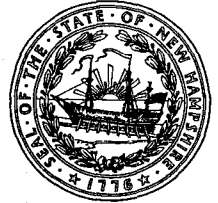




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



LETTER OF DEFICIENCY
WET 2004-35

August 4, 2004

DeAngelo Family Trust
c/o Samuel DeAngelo
39 Broadway
Methuen, MA 01844

RE: DES Wetlands File #1999-01114 Lamprey Ledge Road, Mauhaut Shores, Alton

Dear Mr. DeAngelo:

On May 14, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alton Tax Map 61 as Lot 13 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A, NH Code of Admin. Rules Wt 100-700, and Wetlands and Non-site Specific Permit #1999-1114 (the "Permit"). The Permit authorized the relocation of two tie-off pilings and installation of a boatlift on the Property in accordance with plans received by DES on December 22, 1999. The Permit specified that no work was authorized on the existing 6' x 35' wharf on the Property.

During the inspection the following deficiencies were documented:

1. A 14' x 2' wooden plank walkway over rocks adjacent to the east side of the wharf had been moved to the west side of the wharf without a permit from DES.
2. A 5' 4"x 6' wide extension had been added to the east end of the wharf without a permit from DES.
3. A personal watercraft lift was attached to the added section of the wharf without a permit from DES.

In response, you are requested to take the following actions:

1. Within 30 days of the date of this letter please relocate the 2' x 14' walkway to the location specified by the Plans;
2. Within 30 days of the date of this letter please restore the wharf to no greater than 6' x 35' in accordance with the Plans;
3. Within 40 days of the date of this letter please submit photographs documenting compliance to DES; and,
4. Please complete and submit the enclosed Permit-By-Notification form prior to installing the personal watercraft lift for the 2005 boating season.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to

wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

D. Forst, Shoreland Program Supervisor
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,



D. Forst
Shoreland Program Supervisor
Wetlands Bureau

Enclosure: Permit by Notification application

CERTIFIED MAIL # 7003 2260 0005 9209 9352

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit —
Alton Conservation Commission
Alton Board of Selectmen
USACOE
Winnepesaukee Marine Construction Co.